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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|----------------------------------------------------------------------------------------------------------------------------------|-------------|----------------------|---------------------|------------------|
| 09/771,305 | 01/26/2001 | Fujio Okita | SHX 317 | 7659 |
| 7590 | 06/24/2004 | | EXAMINER | |
| Charles H. DeVoe Kolisch, Hartwell, Dickinson, McCormack & Heuser 520 S.W. Yamhill Street, Suite 200 Portland, OR 97204 | | | DENNISON, JERRY B | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2143 | |

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/771,305 | OKITA, FUJIO | |
| | Examiner | Art Unit | |
| | J. Bret Dennison | 2143 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 January 2001.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 26 January 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. This Action is in response to Application Number 90/771305 received on 26 January 2001.
2. Claims 1-8 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhang et al. (U.S. Patent Number 6,687,748).

3. Regarding claim 1, Zhang discloses a personal data management apparatus, which manages the personal data of multiple individuals using a database file containing multiple personal data records corresponding to said individuals with identification codes for identification of said personal data records, comprising:

a database file storage section which is capable of containing the database file (Zhang, col. 3, line 42-45, Zhang teaches a user database which includes information associated with its users);

a communication control section which transmits and receives signals via a

communication circuit (Zhang, col. 4, lines 50-55, Zhang teaches communication by the processor with communication devices);

a guidance message control section which stores multiple guidance messages, which makes a selection from the stored multiple guidance messages in response to a signal received by the communication control section, and which passes the selected message as a signal for transmission to the communication control section (Zhang, col. 3, lines 45-50, Zhang teaches the user database storing a user's name and password, which inherently means that the user must input his information and the system checks the database for this information from multiple sets of data before communication to be allowed); and,

a data processing section which executes prescribed processes, based on an identification code received as said signal from the communication control section (Zhang, col. 3, lines 45-55, Zhang discloses for each user, a list of subscribed services, which inherently means that once a users successfully logs in, the system executes prescribed processes enabling the user to use the subscribed services).

4. Regarding claim 2, Zhang teaches the limitations, substantially as claimed, as described in claim 1 including wherein said data processing section deletes the personal data record corresponding to the identification code received by the communication control section from the database file stored in the database file storage section (Zhang, col. 3, lines 50-54, Zhang teaches users being able to request to delete their info from the user database).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang in view of Nielsen (U.S. Patent Number 5,864,684).

5. Regarding claim 3, Zhang teaches the limitations, substantially as claimed, as described in claim 1. However, Zhang does not disclose an output section which is capable of outputting the database file processed by the data processing section in a mailing label format including said identification code of said personal data record. In an analogous art of networking, Nielsen discloses a simplified system for handling distribution lists for electronic mail messages wherein information is sent only to user's who email addresses are in the database (Nielsen, col. 2, lines 30-35). Therefore it would have been obvious to one in the ordinary skill in the art at the time of the invention to combine Zhang with Nielsen to provide a system where users may remove themselves from subscribed services, benefiting users by minimizing the amount of information received in their email.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang in view of Nielsen as applied to claim 3 above, and further in view of Chu (U.S. Patent Number 6,182,119).

6. Regarding claim 4, Zhang and Nielsen teach the limitations, substantially as claimed, as described in claim 3, including wherein said data processing section comprises an identification code storage section, which stores the identification code received by the communication control section (Zhang, col. 3, lines 45-50).

However, Zhang and Nielsen do not disclose wherein said data processing section comprises a transmission blocking section which prevents only the personal data records corresponding to the identification codes stored in said identification storage section from being transmitted to the output section.

In an analogous art, Chu discloses a method and system for filtering messages using filter objects which contain subscriber information, wherein at transmission time, the system checks filter objects, which are stored in memory and include subscriber information, if they decide not to take action with the message, preventing the subscriber records from being transmitted (Chu, col. 8, lines 25-50). Therefore it would have been obvious to one in the ordinary skill in the art at the time of the invention to combine Chu with Zhang and Nielsen to produce a system that filters out subscribers before transmission of messages for the benefit of allowing users to receive only messages of interest (Chu, col. 5, lines 10-15).

Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang in view of Chu (U.S. Patent Number 6,182,119).

7. Regarding claims 5 and 7, Zhang discloses a personal data management method comprising:

storing beforehand personal data records, each of which contains a unique identification code, in a database (Zhang, col. 3, line 42-45, Zhang teaches a user database which includes information associated with its users);

establishing a communication connection (Zhang, col. 4, lines 50-55, Zhang teaches communication by the processor with communication devices);

outputting a guidance message via the established communication connection for prompting the input of an identification code (Zhang, col. 3, lines 45-50, Zhang teaches the user database storing a user's name and password, which inherently means that the system must prompt a message to collect this information)

receiving the identification code sent via the established communication connection (Zhang, col. 3, lines 45-50, Zhang teaches the user database storing a user's name and password, which inherently means that the user must input his information and the system checks the database for this information from multiple sets of data before communication to be allowed, meaning the identification was received)

storing the received identification code in a reception code memory (Zhang, col. 3, lines 45-50, Zhang teaches the user database storing a user's name and password).

However, Zhang does not disclose outputting only the personal data records whose identification codes are not included in said reception code memory.

In an analogous art of networking, Chu discloses a method and system for checking filter objects for subscribers that choose not to take action in the message being transmitted and not transmitting the message to them (Chu, col. 8, lines 25-50).

Therefore it would have been obvious to one in the ordinary skill in the art at the time of the invention to combine Chu with Zhang and Nielsen to produce a system that filters out subscribers before transmission of messages for the benefit of allowing users to receive only messages of interest (Chu, col. 5, lines 10-15).

8. Regarding claim 6, Zhang and Chu teach the limitations, substantially as claimed, as described in claim 5 including the step of deleting the personal data record, whose identification code is identical with the identification code sent via the established communication connection, from said database (Zhang, col. 3, lines 50-54, Zhang teaches users being able to request to delete their info from the user database).

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang and Chu as applied to claim 5 above, and further in view of Nielsen.

9. Regarding claim 8, Zhang and Chu teach the limitations, substantially as claimed, as described in claim 5. Chu also discloses sending messages to subscribers (Chu, col. 8, lines 50-51). However, neither Chu nor Zhang explicitly state wherein the

personal data records are output in a mailing label format, which includes said identification code. In an analogous art, Nielsen discloses a system wherein users subscribed to a mailing list are sent messages in a mailing label format, including their identification (Nielsen, col. 2, lines 30-35). Therefore it would have been obvious to one in the ordinary skill in the art at the time of the invention to combine Chu with Zhang and Nielsen to produce a system that filters out subscribers before transmission of messages for the benefit of allowing users to receive only messages of interest (Chu, col. 5, lines 10-15) in a mailing label format.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Bret Dennison whose telephone number is (703)305-8756. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703)308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Bret Dennison
Patent Examiner
Art Unit 2143



DAVID WILEY
SUPERVISORY PATENT EXAMINER
ELECTRONIC BUSINESS CENTER 2100